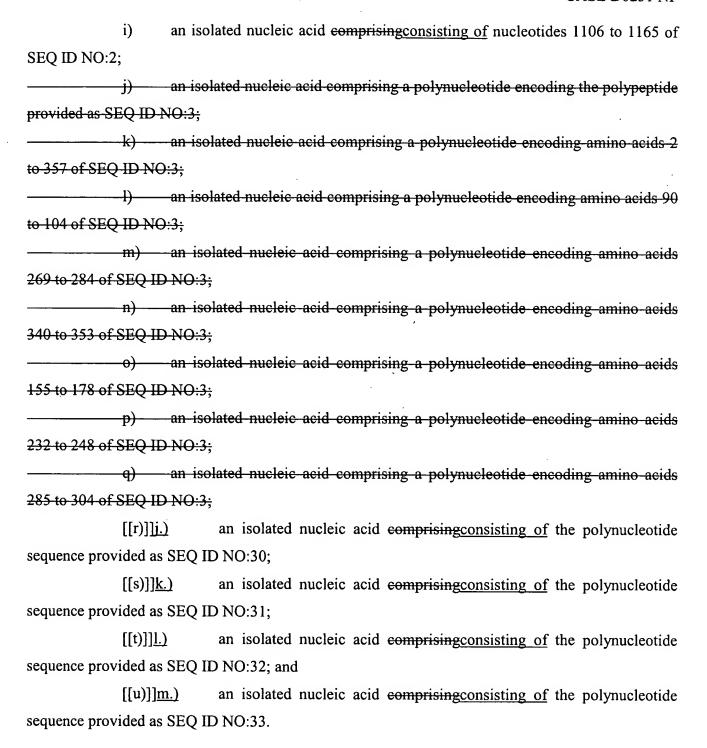
## AMENDMENTS TO THE CLAIMS

Claims 1 to 34 (Cancelled)

- 35. (Currently Amended) A method of diagnosing the presence of a tumor or predisposition to a tumor in a sample comprising:
- a) determining the expression level of RNA encoding a polypeptide emprising consisting of the sequence of amino acids 2 to 357 of SEQ ID NO:3 in a normal tissue sample and in a test tissue sample by measuring RNA of said polypeptide; and
- b) comparing said expression level of said polypeptideRNA from said test tissue sample with said expression level of said polypeptideRNA from said normal test sample; wherein an elevated expression level of said polypeptideRNA in said test tissue sample relative to the expression level of said polypeptideRNA in said normal tissue sample is indicative of the presence of a tumor or a predisposition to a tumor.
- 36. (Currently Amended) The method according to Claim 35, wherein said RNA measurement comprises specific hybridization between said RNA to the complete complementary sequence of a member of the group consisting of:
- a) an isolated nucleic acid eomprising consisting of a polynucleotide provided as SEQ ID NO:2;
- b) an isolated nucleic acid eomprising consisting of nucleotides 251 to 1324 of SEQ ID NO:2;
- c) an isolated nucleic acid <u>comprisingconsisting of</u> nucleotides 254 to 1324 of SEQ ID NO:2;
- d) an isolated nucleic acid comprising of nucleotides 521 to 565 of SEQ ID NO:2;
- e) an isolated nucleic acid <u>comprising consisting of nucleotides 1055 to 1105 of SEQ ID NO:2;</u>
- f) an isolated nucleic acid comprising consisting of nucleotides 1271 to 1312 of SEQ ID NO:2;
- g) an isolated nucleic acid comprising consisting of nucleotides 716 to 787 of SEQ ID NO:2;
- h) an isolated nucleic acid eomprising consisting of nucleotides 947 to 997 of SEQ ID NO:2;



wherein said hybridization is performed under conditions at least as stringent as hybridization in 6x sodium chloride/sodium citrate (SSC) at about  $45^{\circ}$ C followed by one or more washes in  $0.2 \times SSC/0.1\%$  SDS at about  $50-65^{\circ}$ C.

- 37. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a stomach tumor.
- 38. (Previously Presented) The method according to Claims 35 or 36, wherein said tumor is a breast tumor.
- 39. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a testicular tumor.
- 40. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a prostate tumor.
- 41. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a pancreatic tumor.
- 42. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a colon tumor.
- 43. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a lung tumor.
- 44. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is an ovarian tumor.